Filing date:

ESTTA Tracking number:

ESTTA613261 07/01/2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92058662
Party	Plaintiff Nick Mascitelli Imports Pty Ltd
Correspondence Address	NICHOLAS D WELLS KIRTON McCONKIE 60 EAST SOUTH TEMPLE, SUITE 1800 SALT LAKE CITY, UT 84111 UNITED STATES nwells@kmclaw.com
Submission	Motion to Extend
Filer's Name	Dax D. Anderson
Filer's e-mail	danderson@kmclaw.com, mcarlson@kmclaw.com
Signature	/s/Dax D. Anderson
Date	07/01/2014
Attachments	Motion for Extension of Time re Discovery Requests.pdf(24470 bytes )

## IN THE UNITED STATES PATENT & TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NICK MASCITELLI IMPORTS PTY LTD,

Petitioner,

VS.

BRANDO ENTERPRISES, L.P.

Respondent.

Cancellation No. 92058662

Registration No. 3,930,041

Mark: MARLON BRANDO

Registered: March 8, 2011

## MOTION FOR EXTENSION OF TIME TO RESPOND TO DISCOVERY REQUESTS

Petitioner, Nick Mascitelli Imports Pty. Ltd., respectfully moves the Board, pursuant to 37 CFR § 120(a)(2), for a 30-day extension of time in which to respond to Respondent's First Set of Discovery Requests served May 29, 2014. Petitioner's responses are currently due July 3, 2014. Petitioner requests an extension up to and including August 2, 2014.

Petitioner's counsel, Dax Anderson, started work on the matter on June 17, 2014. On June 30, 2014, Mr. Anderson requested a 30-day extension of time in which to respond to discovery requests from Respondent's counsel, Kevin S. Constanza. The request was denied.

Petitioner and its counsel require an additional 30 days in which to docket and integrate the matters into the existing practice and to prepare responses to Respondent's discovery requests.

DATED this 1<sup>st</sup> day of July, 2014.

Respectfully submitted,

KIRTON McCONKIE

By:

Dax D. Anderson Nicholas D. Wells KIRTON McCONKIE

60 East South Temple, Suite 1800

Salt Lake City, Utah 84111 Phone: (801) 328-3600

Fax: (801) 321-4893

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of July 2014, a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME TO RESPOND TO DISCOVERY REQUESTS was served on counsel for Respondent by 1<sup>st</sup> class mail, postage prepaid, in an envelope addressed as follows:

Kevin S. Costanza Seed IP Law Group, LLP 701 Fifth Avenue, Suite 5400 Seattle, WA 98104 kevinC@SeedIP.com

4830-8820-9180.v1